

SENATE BILL NO. 413

INTRODUCED BY KAUFMANN

A BILL FOR AN ACT ENTITLED: "AN ACT ~~GENERALLY REVISING IMMIGRATION AND DISCRIMINATION LAWS; ESTABLISHING AN IMMIGRANT INTEGRATION ADVISORY COUNCIL AND PROVIDING FOR THE COMPOSITION, DUTIES, AND ADMINISTRATION OF THE COUNCIL; PROHIBITING THE USE OF CERTAIN TERMS IN OFFICIAL STATE DOCUMENTS; REQUIRING CERTAIN PERSONS TO RECOGNIZE AND PROTECT THE HUMAN RIGHTS OF IMMIGRANTS; AND AMENDING SECTIONS 1-1-405 AND SECTION 49-1-201, MCA.~~"

~~WHEREAS, the State of Montana acknowledges the economic, social, and intellectual contributions that immigrants have made to enrich our community; and~~

~~WHEREAS, integration and broader civic participation by immigrant communities is an important and mutually beneficial goal; and~~

~~WHEREAS, the State has an interest in supporting and encouraging immigrants to obtain legal immigration status and, if they choose, citizenship; and~~

~~WHEREAS, due to social, political, and economic conditions beyond their control, immigrants are often driven to the United States without documented status; and~~

~~WHEREAS, disparate treatment of immigrants through xenophobia, discrimination, harassment, or racial profiling creates serious and lasting divisions that threaten to segregate our immigrant communities; and~~

~~WHEREAS, The Constitution of the State of Montana recognizes that the dignity of the human being is inviolable and prohibits discrimination based on race, color, sex, culture, social origin or condition, or political or religious ideas; and~~

~~WHEREAS, the purpose of the Legislature in enacting this legislation is to openly welcome and support the growth of immigrant communities in the State of Montana and to enact policies that are consistent with this purpose.~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~NEW SECTION. Section 1. Immigrant integration advisory council -- purpose -- membership --~~

~~allocation.~~ (1) There is an immigrant integration advisory council.

~~———— (2) The purpose of the immigrant integration advisory council is to advise and inform public entities and officials charged with integrating immigrants who are new to Montana of effective and efficient approaches to promote the integration of immigrants into the state and its communities and to help design and establish programs to implement the following goals:~~

~~———— (a) to enable public agencies to provide interpretation and translation services to persons with limited English proficiency;~~

~~———— (b) to promote voter registration of naturalized citizens and broader civic participation by immigrant communities; and~~

~~———— (c) to create, fund, or otherwise promote a campaign to embrace immigration and promote a welcoming tradition in the state of Montana.~~

~~———— (3) (a) The immigrant integration advisory council is composed of seven members appointed by the governor. Members must be appointed for 2-year terms, except that two of the members initially appointed shall serve 1-year terms and two shall serve 3-year terms.~~

~~———— (b) The immigrant integration advisory council shall elect a presiding officer from among its members and may elect other officers as it considers necessary.~~

~~———— (4) The immigrant integration advisory council shall meet at least annually at a time and place designated by the presiding officer or by a majority of the members.~~

~~———— (5) The immigrant integration advisory council is attached to the department of labor and industry for administrative purposes only as provided in 2-15-121. The department of labor and industry may not expend appropriated funds on any activities of the immigrant integration advisory council.~~

~~———— Section 2. Section 1-1-405, MCA, is amended to read:~~

~~———— "1-1-405. Persons not citizens — prohibited use of terms. (1) Persons in this state not its citizens are either:~~

~~———— (1)(a) citizens of other states; or~~

~~———— (2)(b) aliens.~~

~~———— (2) The term "illegal alien" and the adjective "illegal", as applied to aliens, are recognized to be legally inaccurate and pejorative terms, because an alien's presence in the United States after entry is not necessarily an ongoing criminal or civil violation. Therefore, the word "illegal" may not be used by a state agency or official~~

1 ~~in any official document of the state to modify the word "alien".~~

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3 **Section 1.** Section 49-1-201, MCA, is amended to read:

4 **"49-1-201. Right to state's protection.** (1) Every person while within the jurisdiction of this state is
5 entitled to its protection.

6 (2) The employees of local and state agencies, law enforcement officers, and all public officials shall,
7 when carrying out their duties, take steps to recognize and protect the human rights of immigrants, prevent
8 disparate treatment, and deter racial profiling."

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10 ~~NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an~~
11 ~~integral part of Title 2, chapter 15, part 17, and the provisions of Title 2, chapter 15, part 17, apply to [section 1].~~

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